

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

**MARGARET A. CARTER,**

**Plaintiff,**

**V.**

**DIALYSIS CLINIC, INC.,**

**Defendant.**

**Civil Action No. 2:07-cv-682-WKW**

**PLAINTIFF’S NOTICE CONCERNING SETTLEMENT  
CONFERENCE AND MEDIATION**

**COMES NOW** the Plaintiff, Margaret A. Carter, and in compliance with this Honorable Court's Order of July 18, 2008, states as follows:

1. Pursuant to the Uniform Scheduling Order of this Honorable Court, counsel for Plaintiff and Defendant have conducted a settlement conference in a good faith effort to negotiate resolution of this matter. While the case is not yet settled, counsel for the parties have a cordial and professional relationship with each other, and each counsel has a healthy and professional relationship with his client.

2. While it is at present unclear whether counsel will be able to resolve this matter amicably, they commit to the court to continue good faith efforts at resolving this case. At present, they do not see the need for either mediation or a formal settlement conference with the Court. Should their assessments change in that regard, this notice will be supplemented.

**Respectfully submitted,**

**/s/ John D. Saxon**  
**John D. Saxon**  
**Alabama Bar No. ASB-3258-071J**  
**Attorney for Plaintiff**

**OF COUNSEL:**

**JOHN D. SAXON, C.**  
**2119 Third Avenue North**  
**Birmingham, Alabama 35203**  
**Telephone: (205) 324-0223**  
**Facsimile: (205) 323-1583**  
**Email: [jsaxon@saxonattorneys.com](mailto:jsaxon@saxonattorneys.com)**

---

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the above and foregoing Plaintiff's Notice Concerning Settlement Conference and Mediation has been served on all counsel of record by filing the same with the CM/ECF filing system, which will provide electronic notice to the following:

Davidson French  
Tim K. Garrett  
**BASS, BERRY & SIMS, PLC**  
315 Deaderick Street, Suite 2700  
Nashville, Tennessee 37238  
(615) 742-6240

Henry C. Barnett, Jr.  
**CAPELL & HOWARD P.C.**  
150 South Perry Street  
Montgomery, Alabama 36104  
(334) 241-8000

**DONE** this the 1<sup>st</sup> day of August, 2008.

---

**/s/ John D. Saxon**  
**OF COUNSEL**